

PATENT  
Attorney Docket No. 81839  
*3-23-04*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: )  
MICHAEL NIEDERWEIS ET AL. )  
Serial No.: Unassigned ) Group Art Unit: Unknown  
Filed: Herewith ) Examiner: Unknown  
For: METHODS FOR THE )  
PRODUCTION OF A CHANNEL- )  
FORMING PROTEIN )

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

PRELIMINARY AMENDMENT

Prior to examination of the above-identified patent application, please enter the amendment indicated below.

IN THE CLAIMS:

Please cancel claim 33 without prejudice or disclaimer of the subject matter thereof and please amend claims 1-5, 7-26, 32, 34-35 and 37-39 as follows:

1. (Amended) A Method for producing a channel-forming protein, found in gram-positive bacteria, wherein the channel-forming protein is obtained by
  - a) heterologous overexpression or
  - b) purification from mycobacteria, wherein the extraction temperature is higher than 50°C.